

### **REMARKS/ARGUMENTS**

Reconsideration of the above-identified application is respectfully requested.

This Amendment A is in response to the Office Action ("Action") of 2/22/2008. In that Action, the Examiner rejected claims 1-20. In this amendment, claims 1-13, 15-16, and 18 are canceled, claims 14, 17, 19, and 20 are amended, and new claims 21-34 are added. With entry of this amendment, 18 claims are in the case, with claims 19, 22, and 30 being the three independent claims. As such, Applicants' Attorney respectfully submits that no additional claim fees are required.

Applicants' Attorney notes that this amendment is being mailed on August 22, 2008, or 6 months from the February 22, 2008 mailing date of the Action. As such a request form for a three month extension of time is included herewith along with instructions to charge the fee therefor to the deposit account of Applicants' Attorney.

Before specifically addressing the rejections, Applicants' Attorney would like to make a comment about the Examiner's citation to Gibbon (6,714,909) and Miller (5,801,685).

The Examiner has cited to column 14, lines 15-31 of Gibbon. On page 14 of the Action in the bottom paragraph, the Examiner states that "Gibbon teaches a method for synchronizing the broadcast of said visual messages with said audio messages by calculating a scroll rate for said visual messages on said at least one visual display device using the embedded time duration of each corresponding audio message component." Applicants' Attorney respectfully submits that Gibbon teaches no such thing. In fact, on the next page of the Action, the Examiner states that Gibbon does not disclose a method for calculating a duration for each audio message component and embedding the time duration of each audio message component into the corresponding visual message component. However, the Examiner states that Miller, at column 6, lines 39-53 does this. It appears to Applicants' Attorney that the Examiner has contradicted himself with the Gibbon citation and Applicants' Attorney respectfully submits that Miller does not teach what the Examiner suggests. Applicants' Attorney respectfully submits that the Gibbon citation makes one simple statement, that the user can "click on the button of that story in the

table of contents to playback synchronized audio, video, and text, all starting from where the story begins.” This mention of “synchronized” is the only use of that term in Gibbon. It does not teach how to synchronize text which represents the audio being spoken. Applicants’ Attorney respectfully suggests that Gibbon’s teachings do not anticipate or obviate Applicants’ claimed invention. As to Miller, it teaches setting the speed of a teleprompter based on a character reading rate, that being a preset rate or a rate for a specific professional announcer. Video clips are linked so that they start when the announcer should be at a certain point in the script. This teaching is not what the Examiner has stated. Applicants’ Attorney respectfully suggests that Miller’s teachings do not anticipate or obviate Applicants’ claimed invention. Applicants’ Attorney will now discuss the Action specifics.

Claim Objections: On page 2 of the Action, the Examiner has objected to claims 5, 7, 8, 9, 10, 11, 13, 14, and 16 for the term “synchronized” not being in the independent claims from which they depend. All but claim 14 have been canceled and claim 14 now depends from claim 19. The preambles of claims 14 and 19 both include the term “synchronized” and it is respectfully requested that the Examiner withdraw the instant objection.

Claim Rejections – 35 USC § 103: On pages 2-15 of the Action, the Examiner has rejected claims 1-20 based upon various references. Claims 1-13, 15-16, and 18 are canceled and the rejection of those claims are not discussed. Claim 19 is an independent claim and is amended herein. Claims 14 and 17 are amended herein, including being amended to depend from claim 19. Claim 20, which already depended from claim 19, is also amended herein. The rejections of independent claims 19 and dependent claims 14, 17, and 20 are discussed.

On pages 13-15 of the Action, the Examiner has rejected claim 19 citing to Washizuka, Brandon, Gibbon and Miller. Applicants’ Attorney respectfully disagrees with the Examiner’s statements of the teachings of Gibbon and Miller as stated above. Further, claim 19 is amended herein to require that the text message is separated into a plurality of lines for each visual display and that the scroll rate is calculated for each line. As the cited references do not teach this, it is respectfully submitted that claim 19 is in condition for allowance and the rejection should be withdrawn.

On page 13, the Examiner states that "Claims 19 and 20 are rejected under 35 USC 103(a) as being unpatentable over Washizuka, Brandon, Gibbon, and Miller. From there, until the last line of page 15, the Examiner discusses only the rejection of claim 19. Then, the Examiner adds in the last line on page 15 that claim 20 is rejected on the same grounds as claim 19. Assuming that the Examiner is rejecting claim 20 on the same grounds as claim 19, as stated in the paragraph above, claim 19 is not obviated by the teachings of Washizuka, Brandon, Gibbon, and Miller. As such, claim 20, which depends from claim 19 can not be obviated by those same references. As such it is respectfully requested that the Examiner withdraw any rejection of claim 20 based on Washizuka, Brandon, Gibbon, and Miller. The rejection of claim 19 is in the middle of page 6 of the Action. There the Examiner states that Washizuka teaches assigning a unique identification tag to each audio message component and each visual message component and compiling a list of the audio message components and visual message components by unique identification tag. Applicants' Attorney respectfully submits that the portions of Washizuka cited by the Examiner for these teachings do not teach what the Examiner states. For example, for "assigning a unique identification tag to each audio message component and each visual message component", the Examiner cites to column 2, lines 65-67, column 5, lines 2-6, and column 7, lines 19-22 and 41-44. In order, those state:

Word ROMs 9 through 11 are adapted to store digitally encoded pieces of voice information characteristic of sentences, words, and sound inputs.

For example, in the case of the English ROM, a spelling "AN" is converted into a single compression code (1 byte code) CC<sub>2</sub> and another spelling "BA" is converted into a compression code CC<sub>2</sub>.

When the message "standard sentence unavailable" appears on the character display 3, the user speaks the word introduced within the parentheses toward the microphone 47.

If the user can predict that a newly introduced word within the parenthesis is not loaded into any one of the word ROMs 9, 10, and 11, he need actuate the hold key 46 and then the translation key 41.

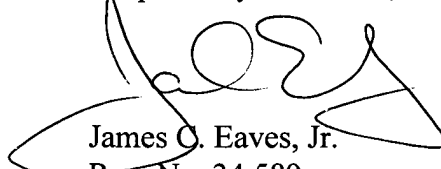
Applicants' Attorney respectfully submits that these citations do not teach "assigning a unique

identification tag to each audio message component and each visual message component” and that the rejection of claim 20 on the same ground as the rejection of claim 15 should be withdrawn.

As to claims 14 and 17, the Examiner’s rejection of those claims is now moot. At the time of their rejection claim 14 depended from claim 13 which depended from independent claim 12 and claim 17 depended from independent claim 12. Claims 14 and 17 have been amended herein to depend from amended independent claim 19. As such, the rejection thereof in the Action should be withdrawn.

Conclusion: Applicants’ Attorney respectfully submits that, with entry of this amendment, claims 14, 17, and 19-34 are allowable. As such, it is respectfully requested that the Examiner issue a notice of allowance. However, please call Applicants’ undersigned Attorney at (502) 587-3724 should the Examiner have any questions or unresolved issues with this application.

Respectfully submitted,



James C. Eaves, Jr.  
Reg. No. 34,589  
Tel.: 502/587-3724

Attachments